



32692

Customer Number

PATENT  
Docket No.: 58516US003

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

MARY L. OWENS, TERRANCE L. FOX  
and ANGELA M. GINKEL

Serial No.: 10/808,004  
Filed: March 24, 2004

For: TREATMENT FOR BASAL  
CELL CARCINOMA

Group Art Unit: 1614

Examiner:

**CERTIFICATE OF MAILING**

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450 on:

August 18, 2004  
Date

Judy L. Hansen  
Signature Judy L. Hansen

**INFORMATION DISCLOSURE STATEMENT**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

Dear Sir:

Pursuant to 37 CFR §§ 1.56, 1.97, and 1.98, enclosed is a completed Form PTO-1449, citing references submitted for consideration by the Examiner. Copies of any cited foreign patents, non-patent literature, and unpublished US application documents are enclosed. Pursuant to the waiver in the Pre-OG Notice, dated July 25, 2003, copies of US patents and published US patent applications are no longer required and are not enclosed. It is respectfully requested that the Examiner initial and return the enclosed Form PTO-1449 to indicate that each reference has been considered.

Should a First Office Action on the merits be mailed prior to the filing of this Disclosure Statement, please charge the requisite \$180.00 fee (pursuant to 37 C.F.R. §§ 1.97(c) and 1.17(p)) to Deposit Account No. 13-3723.

Applicants submit that the above references, whether taken alone or in combination with each other neither anticipate nor render obvious the present invention. Consideration of the foregoing in relation to the captioned application is respectfully requested.

Respectfully submitted,



CHRISTOPHER D. GRAM  
Registration No. 43,643  
Attorney for Applicants

CDG:jlh/58516US003 IDS  
Office of Intellectual Property Counsel  
3M Innovative Properties Company  
P.O. Box 33427  
St. Paul, Minnesota 55133-3427  
(651) 733-1507  
Facsimile: (651) 736-3833

Dated: *August 18, 2004*

**INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT**

(Use as many sheets as necessary)

Page 1 of 5

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**U.S. Patent Documents**

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		Doc. Number-(Kind Code if Known)			
	A1	US- 4,689,338	08-25-1987	Gerster	
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**\*Examiner:****Date Considered:**

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<b>Substitute for form 1449A/PTO (modified)</b>  <b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>  (Use as many sheets as necessary)  Page 2 of 5	Application Number	10/808,004
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	A58	US- 6,558,951 B1	05-06-2003	Tomai et al.	

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	B3	JP	9-208584	08-12-1997		

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	B6	JP	2000-247884 (abstract only)	09-12-2000			X
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	B24	WO	03/043572 A2	05-30-2003			X
	B25	WO	03/045391 A1	06-05-2003			X
	B26	WO	03/103584 A2	12-18-2003			X

OTHER DOCUMENTS (Including Authors, Title, Date, Pertinent Papers, etc.)		
Exam. Init.*	Cite No.	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published
	C1	Testerman, et al., "Cytokine Induction by the Immunomodulators Imiquimod and S-27609", <u>Journal of Leukocyte Biology</u> , Volume 58, pp. 365-372, September 1995.
	C2	Chollet, et al, "Development of a Topically Active Imiquimod Formulation", <u>Pharmaceutical Development and Technology</u> , 4(1), pp 35-43 (1999)
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	C3	Brassard et al.; "Interferon- $\alpha$ as an immunotherapeutic protein"; Journal of Leukocyte Biology; Vol. 71; April 2002; pgs. 565-581
	C4	Izumi et al.; "1 <i>H</i> -imidazo[4,5- <i>c</i> ]quinoline Derivatives as Novel Potent TNF- $\alpha$ Suppressors: Synthesis and Structure-Activity Relationship of 1-, 2-and 4-Substituted 1 <i>H</i> -imidazo[4,5- <i>c</i> ]quinolines or 1 <i>H</i> -imidazo[4,5- <i>c</i> ]pyridines"; Bioorganic and Medicinal Chemistry, Vol. 11, pp. 2541-2550 (2003).
	C5	Beutner et al.; "Therapeutic response to basal cell carcinoma to the immune response modifier imiquimod 5% cream"; J. Am. Acad Dermatol; Vol. 41, No. 6, December 1999; pp. 1002-1007
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	C8	Shumach et al; "Efficacy of Topical 5% Imiquimod Cream for the Treatment of Nodular Basal Cell Carcinoma - Comparison of Dosing Regimens"; Arch Dermatol; Vol. 138; September 2002; pps. 1165-1171
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